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REMARKS/ARGUMENTS

This paper is submitted in response to the final office action dated March 13, 2007. Reconsideration is respectfully requested in view of the amendments and arguments.

Claim rejections under 35 USC § 112

The Examiner rejected claims item 2, 8 and 14 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have canceled claim 3 and 14, and amended claim 8. Thus all rejections are overcome.

Claim rejections under 35 USC § 102

(1) The Examiner rejected Claims 1, 4, 6, and 10-14 as being clearly anticipated by Johnson (Fig. 4; col.4, lines 9-19). Anticipation requires identity of invention. See MPEP 2131. See also *Glaverbel Societe Anonyme v. Northlake Mktg. & Supply*, 33 USPQ2d 1496, 1498 (Fed. Cir. 1995). Each and every element recited in a claim must be found in a single prior art reference and arranged as in the claims. *In re Marshall*, 198 USPQ 344, 346 (CCPA 1978); *Lindemann Maschinenfabrik GMBH v. American Hoist and Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). There must be no differences between what is claimed and what is disclosed in the prior art reference. *In re Kalm*, 154 USPQ 10, 12 (CCPA 1967.) Moreover, it is incumbent upon the Examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference. *Ex parte Levy*, 17 USPQ2d 1461, 1462 (BPAI 1990).

The Examiner stated that Fig. 4 of Johnson and Col. 4. lines 9-19 would anticipate the identified claims. Johnson discloses "A vapor plate or pad, indicated generally at 92, is mounted on tank wall 78 to facilitate the evaporation of liquid into the air moving through chamber 35. Plate 92, as shown in FIG. 7, has an elongated rectangular body 94 joined to a downwardly directed leg 96. The mid-portion of body 94 has an outwardly directed tab or toe 97 adjacent an opening 98. The body 94, leg 96, and tab 97 are a one-piece fiber material that absorbs the liquid in the tank so that the entire plate is wet. The air moving across the wet surfaces of plate 92, indicated by arrow 99, increases the evaporation of the liquid from plate 92. In

contrast, Applicants claim, inter alia, an improved powered dispensing device adapted to dispense an evaporable material into the atmosphere. To that end, applicants claim a reservoir containing evaporable material, a wick extending from said reservoir and providing said evaporable material to a headspace surrounding an exposed end of the wick, a blower adapted to provide airflow comprising the evaporable material from the headspace, a separate manifold disposed about the blower and comprising at least one vent extending to the atmosphere and at least one internal baffle adapted to direct said airflow in a desired direction. Applicants submit that Johnson does not disclose a separate manifold disposed above the wick. In Johnson, the fan is directly situated in front of the rectangular grid members, expelling the air straight out of the grid. Also, Applicants manifold includes at least one vent extending to the atmosphere and at least one internal baffle adapted to direct said airflow in a desired direction. In contrast, Johnson neither teaches nor suggests a manifold, let alone a manifold including a vent and a baffle for directing the air flow into a specific direction.

Since all claims cited in this rejection include directly or indirectly the separate manifold, all such claims are clearly distinguishable over Johnson, and thus the reference should be removed.

(2) The Examiner rejected claims 1-3, 6-9 and 11 as being anticipated by Jane '615 or Jane '967. Similarly as discussed above, Jane '615 also does not include a separate manifold which is disposed above the wick and which comprises at least one vent extending to the atmosphere and at least one internal baffle adapted to direct said airflow in a desired direction. In contrast, Jane neither teaches nor suggests a manifold, let alone a manifold including a vent and a baffle for directing the air flow into a specific direction.

Since all claims cited in this rejection include directly or indirectly the separate manifold, all such claims are clearly distinguishable over Jane, and thus the reference should be removed.

Similarly, Jane '967 also does not include a separate manifold which is disposed about the blower and which comprises at least one vent extending to the atmosphere and at least one internal baffle adapted to direct said airflow in a desired direction. In contrast, Jane

'967 neither teaches nor suggests a manifold, let alone a manifold including a vent and a baffle for directing the air flow into a specific direction.

Since all claims cited in this rejection include directly or indirectly the separate manifold, all such claims are clearly distinguishable over Jane '967, and thus the reference should be removed.

(3) The Examiner rejected claims 1, 4, 6 and 10-14 as being anticipated by Pankhurst. Similarly as discussed above, Pankhurst also does not include a separate manifold which is disposed above the wick and which comprises at least one vent extending to the atmosphere and at least one internal baffle adapted to direct said airflow in a desired direction. In contrast, Pankhurst neither teaches nor suggests a manifold, let alone a manifold including a vent and a baffle for directing the air flow into a specific direction. Instead, Pankhurst teaches a fragrance disperser including a single fan that passes air coming directly from the atmosphere over a wick which is in contact with the fragrance. It is also disclosed that a second form has the fan reversible to provide two different airstreams that evaporate respective different fragrances one after the other. An electrical heaters may be used to aid the evaporation. A fragrance source may be formed by two sheets joined together to form two chambers each receiving a respective wick and having respective exposed wick portions. An alternative source has a reservoir for fragrance and a wick located in an air passage forming part of the source so that an air flow is guided through the passage past the wick to evaporate fragrance. Nowhere does Pankhurst teach or suggest using a separate manifold with a baffle for directing the airflow.

Since all claims cited in this rejection include directly or indirectly the separate manifold, all such claims are clearly distinguishable over Pankhurst, and thus the reference should be removed.

Accordingly, none of the claims are being anticipated by any of the references cited and the rejections should be withdrawn.

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CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,

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By



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